

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED

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DAVID J. MALAND, CLERK
U.S. DISTRICT COURT
By rrp
DEPUTY

UNITED STATES OF AMERICA §

VS. § CRIMINAL NO. 1:10-CR- 68

LARRY DON MIDDLETON, and §
STEVEN DANIEL MIDDLETON,

Crone-Giblin

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 18 U.S.C. §§ 922(g) and 2, Felon in
Possession of a Firearm

On or about March 20, 2009, in the Eastern District of Texas, **Larry Don Middleton**, defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Possession of a Controlled Substance-Cocaine, a felony, in cause number 7218, in the 258th Judicial District Court of Trinity County, Texas (final judgment dated on or about May 9, 1991), Possession of Marijuana, a felony, in cause number 6675, in the 258th Judicial District Court of Trinity County, Texas (final judgment dated on or about December 3, 1981) and Delivery of Marijuana, a felony, in cause number 6690, in the 258th Judicial District Court of Trinity County, Texas (final judgment dated on or about December 3, 1981), did knowingly possess in and affecting interstate and foreign commerce one or more firearms and ammunition, to wit: one (1) Marlin, model 60, .22 caliber rifle, bearing serial number 15475258, one (1) Mossberg, model 500A, 12 gauge shotgun, bearing serial number P432885, one (1) Remington, model 550-1, .22 caliber rifle, bearing no serial number, one (1) Winchester, model 9422,

.22 caliber rifle, bearing serial number F270061, one (1) Winchester, model 70XTR Featherweight, 30-06 caliber rifle, bearing serial number G1530915, one (1) Remington, model 700, .243 caliber rifle, bearing serial number A6657372, one (1) Remington Sportsmaster, model 512, .22 caliber rifle, bearing no serial number, one (1) Browning Medallion model, .270 caliber rifle, bearing serial number 91706NT317, one (1) Remington, model 700, .270 caliber rifle, bearing serial number C6672922, one (1) Browning, .22 caliber rifle, bearing serial number 02765NM136, one (1) Marlin, model 17V, .17 caliber rifle, bearing serial number 97659116, three (3) rounds of CCI, .17 caliber ammunition, and two (2) rounds of Winchester .22-caliber ammunition.

In violation of 18 U.S.C. §§ 922(g)(1) and 2.

Count Two

Violation: 18 U.S.C. §§ 922(g) and 2, Felon in Possession of a Firearm

On or about March 20, 2009, in the Eastern District of Texas, **Steven Daniel Middleton**, defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: Manufacture of a Controlled Substance, a felony, in cause number 8435, in the 258th District Court of Trinity County, Texas (final judgment dated on or about May 27, 2004), did knowingly possess in and affecting interstate and foreign commerce a firearm, to wit: one (1) Marlin, model 25 MN, .22 caliber rifle, bearing serial number 06452664, one (1) Harrington and Richardson Topper model, 12 gauge shotgun, bearing serial number BB406383, one (1) Firearms Import and Export Corporation model SB, .410 gauge shotgun, bearing serial number C998728, and one (1) Marlin, model 75-20, .22 caliber rifle, bearing serial number WL008514.

In violation of 18 U.S.C. §§ 922(g)(1) and 2.

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Criminal Forfeiture Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)

As the result of committing the felony offense in violation of 18 U.S.C. § 922(g)(1) alleged in Count One of this indictment, defendant **Larry Don Middleton** shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in the offense, to-wit:

- one (1) Marlin, model 60, .22 caliber rifle, bearing serial number 15475258;
- one (1) Mossberg, model 500A, 12 gauge shotgun, bearing serial number P432885;
- one (1) Remington, model 550-1, .22 caliber rifle, bearing no serial number;
- one (1) Winchester, model 9422, .22 caliber rifle, bearing serial number F270061;
- one (1) Winchester, model 70XTR Featherweight, 30-06 caliber rifle, bearing serial number G1530915;
- one (1) Remington, model 700, .243 caliber rifle, bearing serial number A6657372;
- one (1) Remington Sportsmaster, model 512, .22 caliber rifle, bearing no serial number;
- one (1) Browning Medallion model, .270 caliber rifle, bearing serial number 91706NT317;
- one (1) Remington, model 700, .270 caliber rifle, bearing serial number C6672922;
- one (1) Browning, .22 caliber rifle, bearing serial number 02765NM136;

- one (1) Marlin, model 17V, .17 caliber rifle, bearing serial number 97659116;
- three (3) rounds of CCI, .17 caliber ammunition; and,
- two (2) rounds of Winchester .22-caliber ammunition.

As the result of committing the felony offense in violation of 18 U.S.C. § 922(g)(1) alleged in Count Two of this indictment, defendant **Steven Daniel Middleton** shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), the firearms and ammunition involved in the offense, to-wit:

- one (1) Marlin, model 25 MN, .22 caliber rifle, bearing serial number 06452664;
- one (1) Harrington and Richardson Topper model, 12 gauge shotgun, bearing serial number BB406383;
- one (1) Firearms Import and Export Corporation model SB, .410 gauge shotgun, bearing serial number C998728; and,
- one (1) Marlin, model 75-20, .22 caliber rifle, bearing serial number WL008514.

A TRUE BILL



GRAND JURY FOREMAN

JOHN M. BALES
UNITED STATES ATTORNEY



RANDALL L. FLUKE
ASSISTANT UNITED STATES ATTORNEY

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STEVEN DANIEL MIDDLETON,

NOTICE OF PENALTY

Counts One and Two

Violation: 18 U.S.C. §§ 922(g)(1) and 2 [and 924(e)]

Penalty: Imprisonment of not more than ten (10) years, a fine not to exceed \$250,000, or both; a term of supervised release of not more than three (3) years. If defendant has three previous convictions for violent felony(ies) or serious drug offense(s), committed on occasions different from one another, imprisonment of fifteen (15) years to life, with special conditions, a fine not to exceed \$250,000, or both; a term of supervised release of not more than five (5) years.

Special Assessment: \$ 100.00.